

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION

ANTHONY RAY THOMPSON

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:08CV207-RHW

PEARL RIVER COUNTY CORRECTIONAL FACILITY et al

DEFENDANTS

**MEMORANDUM OPINION AND ORDER**

This matter is before the Court on Plaintiff's 42 U.S.C. § 1983 prisoner civil rights complaint. Plaintiff, proceeding *pro se* and *in forma pauperis*, filed the instant complaint on May 21, 2008, alleging unconstitutional conditions of confinement at the Pearl River County Jail. On October 29, 2008, the Court conducted a screening hearing pursuant to 28 U.S.C. § 1915A. In a [21] Motion to Stay, Plaintiff later informed the Court that he would be released from incarceration in March 2009 and indicated that he wanted to hire a lawyer to prosecute his claims. In [23] Motion for Continuance filed on April 15, 2009, Plaintiff stated that he anticipated being released from custody on April 28, 2009, at which time he intended to seek legal assistance for his complaint. On April 21, 2009, the Court entered an [25] Order granting Plaintiff's motion to continue, and allowing Plaintiff until June 5, 2009, to obtain counsel or to inform the Court in writing of his intention to proceed *pro se*. The Court cautioned Plaintiff that failure to obey the Court's Order "may result in the dismissal of his lawsuit for failure to prosecute."

On June 25, 2009, not having received any further communication from the Plaintiff, the Court entered an [26] Order to Show Cause and directed plaintiff to show cause why his case should not be dismissed for failure to prosecute. The Court set a response deadline of July 16,

2009. The Court further warned Plaintiff that "failure to respond to this Order may result in the dismissal of his lawsuit." It is now approximately three weeks past the response deadline, and Plaintiff has failed to respond to the Order to Show Cause or otherwise communicate with the Court. Based on the foregoing, the Court finds that Plaintiff's complaint should be dismissed for want of prosecution as he has failed to comply with Court-imposed deadlines in the [25] Order granting Plaintiff's motion to continue and in the [26] Order to Show Cause.

IT IS THEREFORE ORDERED AND ADJUDGED that Plaintiff's 42 U.S.C. § 1983 civil rights complaint is hereby DISMISSED without prejudice as to all claims and Defendants.

SO ORDERED, this the 6th day of August, 2009.

s/ Robert H. Walker  
UNITED STATES MAGISTRATE JUDGE